THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.10253 of 1998

Dated:15.06.2007

Between
Smt Kuramam Yellamma and another.

.....Petitioners

and

1.The Chairman, Visakhapatnam Port Trust, Visakhapatnam and another.

…Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.10253 of 1998

ORDER:

This writ petition is filed seeking a Mandamus to declare (i) the proceedings No.1/CA/ML/CORR/96 dated 11.7.1996 passed by 2nd respondent in rejecting the claim of the petitioner as belated one as arbitrary and illegal and further prescribing two years as considerable time vide para 10 of Circular No.M/13707/77 dated 10.7.1979 as arbitrary and illegal and contrary to Government of India guidelines/circular and consequently to direct the respondents to consider the claim of the 2nd petitioner and provide him employment in Visakhapatnam Post Trust on compassionate grounds.

It appears that Sathirajulu, who is the husband of the 1st petitioner and father of the 2nd petitioner, died in harness while he was serving the Visakhapatnam Port Trust on 23.11.1983. The 1st petitioner was aged about 30 years by that time and the 2nd petitioner was 5 years old. The 1st petitioner did not claim employment since she was illiterate and she claimed employment for her son-2nd petitioner in 1992 and the same was rejected vide proceedings dated 11.7.1996 stating that the application filed by the 1st petitioner was belated one and the same cannot be considered.

There is no necessity to go into all the details.

The facts as narrated above would indicate that 1st petitioner did not claim employment and 2nd petitioner was not

entitled to claim employment as on the date of death of his father. According to the respondents, the claim for compassionate appointment can be entertained only within two years from the date of death of the deceased employee. The application claiming employment by the 2nd petitioner was filed in the year 1992, which was rightly rejected by the respondents as belated one. I am of the opinion that no ground is made out calling for interference of this Court under Article 226 of the Constitution of India. Writ petition is devoid of merits and is liable to be dismissed.

Accordingly, writ petition is dismissed. No costs.

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15-06-2007

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